

House Resolution 115 - Introduced

HOUSE RESOLUTION NO. 115

BY ALONS, BACON, BRANDENBURG, GUSTAFSON, STANERSON,
L. MILLER, SALMON, WINDSCHITL, SHAW, KEARNS, STAED,
MUHLBAUER, GAINES, THOMAS, JACOBY, and KAJTAZOVIC

1 A Resolution urging Congress to restore the presumption
2 of service connection for Agent Orange exposure
3 for Vietnam veterans who served in the waters and
4 airspace defined by the Vietnam combat zone.

5 WHEREAS, during the Vietnam War, the United States
6 military sprayed 22 million gallons of Agent Orange
7 and other herbicides over Vietnam to reduce forest
8 cover and crops used by the enemy, with such herbicides
9 containing dioxin, which has since been identified
10 as carcinogenic and has been linked with a number of
11 serious and disabling illnesses affecting thousands of
12 veterans; and

13 WHEREAS, the United States Congress passed the Agent
14 Orange Act of 1991, Pub. L. No. 102-4, to address
15 the plight of veterans exposed to herbicides while
16 serving in the Republic of Vietnam and the Act amended
17 Title 38 of the United States Code to presumptively
18 recognize as service-connected certain diseases among
19 military personnel who served in Vietnam between 1962
20 and 1975; and

21 WHEREAS, this presumption has provided access to
22 appropriate disability compensation and medical care
23 for Vietnam veterans diagnosed with such illnesses as
24 Type II diabetes, Hodgkin's disease, non-Hodgkin's
25 lymphoma, prostate cancer, Parkinson's disease,
26 multiple myeloma, peripheral neuropathy, AL amyloidosis

1 respiratory cancers, and soft tissue sarcomas, and
2 others yet to be identified; and

3 WHEREAS, since 2001, the United States Department
4 of Veterans Affairs has enforced a policy that has
5 denied the presumption of a service connection for
6 herbicide-related illnesses to Vietnam veterans who
7 cannot furnish written documentation that they had
8 "boots on the ground" in-country, making it virtually
9 impossible for many thousands of United States Navy,
10 Marine, and Air Force veterans to pursue their claims
11 for benefits; and

12 WHEREAS, the personnel who served on ships in the
13 "Blue Water Navy" in Vietnamese territorial waters
14 were, in fact, exposed to dangerous airborne toxins,
15 which not only drifted offshore, but also washed
16 into streams and rivers draining into the South China
17 Sea; and

18 WHEREAS, United States Navy veterans have been
19 excluded ever since 2001, even though Agent Orange has
20 been verified, through various studies and reports, as
21 a wide spreading chemical that was able to reach Navy
22 ships through air and waterborne distribution routes
23 and that Navy ships positioned off the Vietnamese
24 shore routinely distilled seawater to obtain potable
25 water; and

26 WHEREAS, a December 2002 report by the Australian
27 Department of Veterans Affairs found that the
28 distillation process, rather than removing toxins, in
29 fact concentrated dioxin in water used for drinking,
30 cooking, and washing; and

1 WHEREAS, that report was conducted after the
2 Australian Department of Veterans Affairs found that
3 Vietnam veterans of the Royal Australian Navy had a
4 higher rate of mortality from Agent Orange-associated
5 diseases than did Vietnam veterans from other branches
6 of the Australian military; and

7 WHEREAS, when the United States Centers for Disease
8 Control and Prevention studied specific cancers among
9 Vietnam veterans, they found a higher risk of certain
10 cancers among United States Navy veterans; and

11 WHEREAS, herbicides containing
12 tetrachlorodibenzodioxin did not discriminate
13 between soldiers on the ground and sailors on ships
14 offshore; and

15 WHEREAS, more than 30 veterans service organizations
16 support federal legislation titled the Blue Water Navy
17 Vietnam Veterans Act of 2013, H.R. 543; and

18 WHEREAS, by not passing H.R. 543, a precedent
19 could be set to selectively provide certain groups
20 of military veterans with exposure-related medical
21 care while denying other groups such care without any
22 consistent financial or scientific reasoning; and

23 WHEREAS, when the federal Agent Orange Act of 1991
24 was passed with no dissenting votes, congressional
25 leaders stressed the importance of responding to
26 the health concerns of Vietnam veterans and ending
27 the bitterness and anxiety that had surrounded the
28 issue of herbicide exposure, and since that time the
29 federal government has also demonstrated its awareness
30 of the hazards of Agent Orange exposure through its

1 involvement in the identification, containment, and
2 mitigation of dioxin "hot spots" in Vietnam; and

3 WHEREAS, the United States Congress should reaffirm
4 the nation's commitment to the well-being of all of its
5 veterans and direct the United States Department of
6 Veterans Affairs to administer the federal Agent Orange
7 Act under the presumption that herbicide exposure
8 in the Republic of Vietnam included the country's
9 inland waterways, offshore waters, and airspace, with
10 these areas encompassing a part of the entire combat
11 zone; NOW THEREFORE,

12 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
13 the Iowa House of Representatives hereby respectfully
14 urges the United States Congress to restore the
15 presumption of a service connection for Agent Orange
16 exposure for United States veterans who served in the
17 waters defined by the Vietnam combat zone, and in the
18 airspace over the Vietnam combat zone; and

19 BE IT FURTHER RESOLVED, That the Chief Clerk of
20 the House of Representatives shall transmit certified
21 copies of this resolution to the President of the
22 United States, to the President and Secretary of the
23 United States Senate, the Speaker and Clerk of the
24 United States House of Representatives, and each member
25 of the Iowa congressional delegation with the request
26 that this resolution be officially entered into the
27 Congressional Record as a memorial to the United States
28 Congress of the urgency of responding to the medical
29 care needs of Vietnam veterans.